

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Claude Q.C. Hayes)
)
 Serial No.: 10/738,471) Group Art Unit: 1794
)
 Filed: December 17, 2003) Confirmation No. 8199

For: **HEAT ABSORBING TEMPERATURE CONTROL DEVICES THAT
INCLUDE HYDROXIDE**

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMISSION OF REPLACEMENT APPEAL BRIEF

Dear Sir:

In response to the two (2) Notifications of Non-Compliant Appeal Brief mailed on October 9, 2008, in connection with the above-referenced appeal, Appellant submits herewith a replacement Appeal Brief that addresses the issues raised in the foregoing Notifications. Appellant respectfully submits that the replacement Appeal Brief is in full compliance with applicable requirements.

As previously noted, Appellant submits that the outstanding obviousness rejections of the pending claims are improper and should be reversed. Appellant submits that no further charges are due in connection with this submission. However, if any additional charges arise with respect to this Appeal or otherwise, please charge to Deposit Account No. 503570 maintained by Appellant's attorneys.

Respectfully submitted,



Basam E. Nabulsi
Reg. No. 31,645
Attorney for Appellant

Date: November 3, 2008

McCarter & English LLP
Financial Centre, Suite A304
695 East Main Street
Stamford, CT 06901-2138
(203) 399-5920
(203) 399-5820 (fax)